



**THE CITY OF NEW YORK
LAW DEPARTMENT**

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

100 CHURCH STREET
NEW YORK, NY 10007

RACHEL SELIGMAN WEISS
Senior Counsel
Phone: (212) 356-2422
Fax: (212) 356-3509
rseligma@law.nyc.gov

May 10, 2024

BY ECF

Honorable Lois Bloom
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Terrence Wise v. Supervisors John Doe, et al.*,
23-CV-5935 (RPK)(LB)

Your Honor:

I am a Senior Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing Officer Joseph Ancona in the above-referenced matter.¹ Defendant writes to provide a status report pursuant to the Court's April 24, 2024 Order. *See* ECF No. 27.

By way of background, on April 2, 2024, this Office, with Plaintiff's consent, requested an enlargement of time to respond to the Complaint because (1) Plaintiff had not executed an unsealing release pursuant to N.Y. Crim. Proc. L. §§ 160.50 and 160.55 ("160.50 release"), and (2) this Office required additional time to resolve representation with the individually named defendants. *See* ECF No. 20. The requested enlargement of time to respond to the Complaint was from April 5, 2024, until sixty (60) days after this Office received an executed 160.50 release from Plaintiff. *Id.* On April 3, 2024, the Court granted that request and scheduled a conference on April 24, 2024 to discuss the 160.50 release. ECF No. 21. During the April 24, 2024 conference, defense counsel stated that *another* blank 160.50 release was provided to Plaintiff on April 19, 2024, and that Defendant would schedule a call with Plaintiff the following week to confirm whether he received the 160.50 release. Your Honor subsequently ordered defense counsel to file a status letter by May 10, 2024, reflecting whether the executed 160.50 release has been received. ECF No. 27.

¹ This case has been assigned to Assistant Corporation Counsel Jordan Vanorsdale, whose last day at the Law Department is May 10, 2024, after which she will have no connection with this matter. This case is in the process of being transferred to another Assistant Corporation Counsel.

Defense counsel scheduled a call with Plaintiff on May 1, 2024, to discuss the 160.50 release. However, Plaintiff's facility informed defense counsel that Plaintiff was in the hospital and that they were unsure as to when he would return to the facility. Thereafter, another call was scheduled with Plaintiff for May 7, 2024. This call was cancelled as well because Plaintiff was "unavailable." Additionally, Plaintiff filed a letter on May 6, 2024, indicating that he was in the hospital and unsure as to when he would be able to complete the 160.50 release. ECF No. 28. To date, Defendant has not received an executed 160.50 release.

Thank you for your consideration herein.

Respectfully submitted,

Rachel Seligman Weiss /s

Rachel Seligman Weiss
Senior Counsel

cc: **VIA FIRST-CLASS MAIL**

Terrence Wise
Plaintiff *Pro Se*
Reg. 35692-510
MDC Brooklyn
80 29th Street
Brooklyn, NY 11232